

REMARKS

Applicants thank the Examiner for the courtesy of a telephone conversation on March 31, 2004 in which the intended amendments were discussed and broadly agreed to by the Examiner subject to review by a supervisory Examiner.

Claims 7, 9 -11 are pending. Claim 9 has been cancelled and claims 7, 10 and 11 have been amended. No new subject matter is believed to have been added. Applicants submit that claims 7, 10 and 11 are in a condition for allowance.

Rejection under 35 U.S.C. §112 first and second paragraph

The Examiner has rejected the claims because of the use of the word "derived". The claim has been amended to remove the objected term. The term "obtainable" is generally acceptable claim language in the present context and requires that the specified glycosidase must be found in the *Xanthomonas* even if it might be found elsewhere. The claims exclude glycosidases that may be found elsewhere cannot be obtained from *Xanthomonas*.

The Examiner has rejected the claims because of (i) the phrase "biological properties" in claim 9 and claims dependent on claim 9 and (ii) the phrase "immunogenic properties" in claim 10. In response to the Examiner's objections, Claim 9 has been cancelled and claim 10 has been amended.

Wong-Madden, et al.
U.S.S.N.: 10/003,136
Filed: November 15, 2001
Page 4

CONCLUSION

For the reasons set forth above, Applicants respectfully submit that the rejections set forth in the Official Action of December 2, 2003 have been overcome and that this case is in condition for immediate allowance. Early and favorable consideration leading to prompt issuance of this Application is earnestly solicited.

Applicants petition for a two-month extension of time in which to file a response and enclose check in the amount of \$210. Please charge any deficiencies to Deposit Account No. 14-0740.

Should the Examiner wish to discuss any of the amendments and/or remarks made herein, the undersigned Attorney would appreciate the opportunity to do so.

Respectfully submitted,

NEW ENGLAND BIOLABS, INC.

Date: April 6, 2004



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